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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

AMERICAN FEDERATION OF  
GOVERNMENT EMPLOYEES, AFL-CIO, *et al.*,  
Plaintiffs,

v.

U.S. OFFICE OF PERSONNEL  
MANAGEMENT, *et al.*,

Defendants.

No. 25 Civ. 1237 (DLC)

**NOTICE OF MOTION TO  
DISMISS**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss, defendants the U.S. Office of Personnel Management ("OPM"); Charles Ezell, in his official capacity as Acting Director of OPM; U.S. DOGE Service ("USDS"); the Acting USDS Administrator; U.S. DOGE Temporary Service; and Elon Musk, in his official capacity as Director of USDS (collectively, "Defendants"), hereby move pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure for an order dismissing the Complaint, ECF No. 1, filed by Plaintiffs in this action.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's Order dated February 25, 2025, ECF No. 49, opposition papers, if any, shall be served on or before March 24, 2025, and reply papers, if any, shall be served on or before March 31, 2025.

Dated: New York, New York  
March 14, 2025

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